

22/9

0CC669/03

Adv

1/9

East Lothian Council
Licensing

25 AUG 2023

Received



Occasional Licence Application Form
EAST LOTHIAN LICENSING BOARD

Before completing this form please read the guidance notes.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)
Premises licence number (if applicable)
Personal licence number (if applicable)
Name of voluntary organisation (if applicable)

EL503

4C

2. PERSONAL DETAILS	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	THOMPSON
Forenames	SUSAN ANNE
[REDACTED]	
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
[REDACTED]	
Post town	[REDACTED]
TELEPHONE NUMBERS	
Daytime	[REDACTED]
Evening	[REDACTED]
Mobile	[REDACTED]
FAX NUMBER	[REDACTED]
E-MAIL ADDRESS	[REDACTED]
3. THE PREMISES	
Description of premises	
Shop, Post office, Cafe, Coffee in kitchen	
Description of activities to be carried on in the premises - (including number of persons expected to attend)	

Description of activities to be carried on in the premises – (including number of persons expected to attend)

Selling various goods and services
Plus alcohol for on and off
sale premises

Full postal address of premises which this application refers to

THOMSON'S OF TRANENT
22 B WINTON PLACE
TRANENT EU33 1AE

4. DURATION OF LICENCE

From: 22/09/23

To: 05/10/23

5. Is alcohol to be sold on & off the premises YES/NO* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-* delete as appropriate

Times for sale of alcohol for consumption on premises

MON - WED 11am - 11pm
THUR - SAT 11am - 1am
SUNDAY 11am - 12pm

Times for sale of alcohol for consumption off premises

10am - 10pm

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

N/A

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)

Ages of children or young persons permitted entry

0 - 17 years

Times at which children or young persons permitted entry

~~5pm - 11pm~~
11am - 10pm

Parts of premises to which children or young persons permitted entry

ALL AREAS EXCEPT 1-5m 5m
Bar counter

7. CHECKLIST


I have - Please tick for yes

SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief.

Signature			Date 22/8/23	
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669

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 07 September 2023 09:05
To: Licensing
Subject: REF 669-676
Attachments: OCC669 APP.PDF

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

NPO APPLICATIONS 669 TO 676 INCLUSIVE

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 11th September

Subject: LICENSING SCOTLAND ACT 2005

REPORT - OCCASIONAL LICENCE APPLICATION OCC 664-665/23 and 669-676/23

Susan Thomson, for Thomson's of Tranent, 22B Winton Place, Tranent, EH33 1AE

The applicant is Susan Thomson who is a personal licence holder. Application has been made for ten occasional licences for a café and shop at Thomson's of Tranent.

The duration of the applications is from 25th August – 11th January 2024 for on sales and off sales. At the time of writing the first application (OCC664/23) has expired (25th August – 7th September 2023).

Currently, a provisional premises licence is held for the above premises. The licence holder is Partnership of George Thomson and Susan Thomson. Each partner has joint responsibility for the business, operations, and provisional premises licence.

On 24th August 2023, Mr and Mrs Thomson applied for an extension to the provisional premises licence which was granted by the Board. This licence is still to be confirmed.

As per section 45 (3) of the Act - *A premises licence issued in respect of any such premises does not take effect unless and until it is confirmed by the Licensing Board which issued it in accordance with section 46.*

For the premises to operate and make sales of alcohol there requires to be a valid occasional licence. The Board has previously granted occasional licences for 4 years.

On 24th August 2023, I became aware that no further occasional licence applications had been received or issued beyond this date. I emailed Mr and Mrs Thomson to make them aware of this oversight and guided them that any sales of alcohol from 25th August onwards would be unlicensed and a criminal offence. I asked they cease the sale of alcohol until such time as there was an occasional licence in place. This guidance for Mr and Mrs Thomson to prevent them from commit an offence. I detailed that the Licensing Team could see a payment from him however had not received any occasional licence applications. I asked that he get in touch with the Licensing Team to advise on what the payment was for and submit any applications.

On Friday 25th August, Mr Thomson attended at John Muir House where he delivered 10 occasional licence applications at the front desk in Susan Thomson's name. The start date for the first application was that day.

On Friday 25th August, I spoke to Mr Thomson. I explained that it was Board policy that applications should be submitted 42 days in advance of the start date of the application. If the application is submitted late it may not be possible to fully process or determine the application in time. In addition I explained the process which included that the occasional licence applications would need to be processed, advertised, and consulted on within the statutory timescales set out in the Licensing (Scotland) Act 2005. I explained to him that applications need to be advertised for 7 days and consultees have up to 21 days to report. Only after the 7 days and once all reports had been submitted could the occasional licences be determined. Again, I advised that any sale of alcohol made before an occasional licence was granted would be a criminal offence and enforcement would lie with the police.

Section 137 gives an LSO power to enter and inspect premises for the purpose of determining a pending licence application. This includes an occasional licence application.

On Monday 4th September, I attended at Thomson's of Tranent and found alcohol was on display within the shop area and witnessed a sale of alcohol. I reported the offence to police, identified myself to staff, gave my contact details and left the shop.

I then received a voicemail and text message from Mr Thomson admitting that he had not told his wife, daughter or any of the staff not to sell alcohol and that it was all his fault.

I have had no contact with Mrs Susan Thomson in relation to the premises or applications that she has made as a personal licence holder.

I submit this for the Board's information in determining the occasional licence applications.

Licensing Standards Officer